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THE TILLMAN CASE GOES TO LEXINGTON.

CHANGE OF VENUE ORDERED BY JUDGE D. A. TOWNSEND.

Over Seven Hundred Affidavits Read For And Against The Change—Denise Pleaded For Saluda County.

Special to Herald and News.

Columbia, S. C., June 25.—Judge D. A. Townsend this morning ordered that the trial of James H. Tillman on the charge of murder for the killing of N. G. Gonzales on Main street in Columbia on January 15 last, be held in Lexington county.

Court meets in Lexington county on the third Monday in September, and Judge Gage will preside.

Counsel for Tillman strongly pleaded that the trial be ordered to Saluda county.

Since a change has been made, Lexington county is satisfactory to the public here.

P. M. BRUCE.

Columbia, S. C., June 24.—Argument on the motion for a change of venue in the case of James H. Tillman, indicted for the murder of N. G. Gonzales, was concluded at 5 o'clock this afternoon, and Judge Townsend at once announced his decision that the change should be granted. Counsel disagreed concerning the county where the case should be sent and this was left undecided for the present.

The argument was begun at 5 o'clock yesterday afternoon by Col. George Johnstone for the defense. Col. Johnstone is one of the most eloquent and resourceful lawyers of the State, and he spoke for over an hour, criticizing and commenting on certain of the prosecution's affidavits.

Before Col. Johnstone's opening argument more than seven hundred affidavits on both sides had been introduced, those for the defense alleging that a fair trial could not be had in Richland County, those for the State alleging that as fair trial could be had in Richland as in any county in the State.

The hearing on the motion for a change of venue was taken up before Judge D. A. Townsend on Monday morning.

Senator Tillman, Mrs. Tillman, defendant's mother, and Mrs. Tillman, his wife, came to the court house soon after the defendant, who went to see them in an ante room where he remained a few minutes. After the proceedings were under way Senator Tillman, Mrs. Jas. H. Tillman, with her little child, and B. R. Tillman, Jr., came into the court room and took seats near the defendant.

The reading of the affidavits proceeded in the ordinary way, Mr. Johnstone reading a part of them. Sometimes Mr. Nelson and Mr. Johnstone made parenthetical remarks during the reading, but Mr. Billinger protested and the judge declared that the affidavits must be strictly stuck to.

A mass of affidavits were read the first day and by 5 o'clock of the second day each side had presented about 300 or 400. Probably the most notable affidavit for the defense was that of Col. Willie Jones, setting forth that "public sentiment" in the city and county "is intense against James H. Tillman."

It was followed by a letter, however, written later, in which Col. Jones stated that he should not be construed as saying that Tillman could not get a fair trial in Richland.

The last day's proceedings were opened with the argument of Mr. Andrew Crawford for the State, against the motion. He was followed by Mr. P. H. Nelson for the defense and Mr. G. Duncan Bollinger, for the prosecution.

The sensation of the day followed, when Ex-Judge O. W. Buchanan, the defendant's brother in law, addressed the Court. It was not thought that Judge Buchanan would speak, especially as the defense had left only about fifty min-

utes of the time allotted that side, which, it was presumed, would be occupied by Congressman George W. Croft, Tillman's law partner. But Judge Buchanan spoke for thirty minutes and delivered a bitter arraignment of the press, the commercial interests and the people generally of Columbia. He asserted that commercialism had supplanted the old Southern standards, and that the press was now at liberty to abuse and vilify any man who spoke his honest convictions. He charged that the State had goaded the defendant to desperation by its abuse of him, and said the State had now cracked its whip and lashed the citizens of Columbia into signing affidavits for the prosecution under fear of the State's power. He charged that the capitalist interest and the press were allied, and that men had been intimidated into signing those affidavits lest their position or their business be injured.

"By grabs," exclaimed Judge Buchanan, "if they don't like this let them lump it!" Judge Townsend interrupted the speaker to say that he was consuming the time of the defense and leaving none for Mr. Croft.

After the dinner hour Mr. Croft closed the argument.

At its close the Court announced its decision to grant the motion and asked counsel for suggestions concerning the place to which the case should be transferred. Mr. Croft suggested Saluda, but to this Solicitor Thummond objected on the ground that Saluda Court House is fourteen miles from the railroad and accommodations are too meagre to entertain the two hundred witnesses who would have to be transported there.

The defense strongly favored sending the case to Saluda, alleging that the defendant was entitled to a speedy trial and this could not be had unless it was sent to either Saluda or Edgefield, as Court for this term has been held in other counties of this circuit.

The prosecution strongly objected on the ground that Saluda was but recently cut off from Edgefield, J. H. Tillman's home county, and that the county was formed largely through the efforts of Geo. D. Tillman, the defendant's father. As to speedy trial, the prosecution held that Tillman had already caused his case to be continued.

The other two counties in the circuit, besides Richland and Saluda, are Lexington and Kershaw, which are on opposite sides of Richland. Lexington adjoins Edgefield, but has close business interests with Richland, and it is Lexington that the counsel for the prosecution seemed to prefer.

MC CLOY LEADS FEUDISTS.

Blood Thirsty Mountaineers Raid a Virginia Town Pitched Battle With Police.

Roanoke, Va., June 22.—A party of mountaineers led by Floyd McCoy, a member of the famous McCoy Hatfield feudists, went to the mining town of Keystone, McDowell county, Va., last night and took the law into their own hands. They insulted many people.

Their abuse was resented by John Reynolds, an employee of the brewery. McCoy's crowd crossed the railroad and opened fire on Reynolds.

A large crowd gathered and the entire police force went in pursuit.

McCoy's crowd retired about 400 yards, took a stand and opened fire on the officers.

A pitched battle raged in the darkness.

One of McCoy's crowd was killed and another fatally wounded. Others were injured. The police escaped injury. McCoy's party escaped to the mountains taking their dead and wounded with them. The names of the latter are unknown.

Great excitement prevails. McCoy has not been on the war path for several years. The Hatfields live in the adjoining county.

C. C. B.

Prof. F. A. Cummings, of South Carolina, has been chosen professor of English language and literature at Hollins Institute, in Virginia.

OLD MEMORIES.

Major Crosson, Now Of Texas, Relates Incidents Of Newberry People the days Gone By—An Interesting Letter.

Among many good men, in the church, I especially noted the Rev. Mr. Galloway, Dr. A. W. and Jas. Chalmers. 'Tis to the virtues of such men, man owes His portion of the good that heaven bestows."

Mr. Galloway's sons and daughter have made his name a household word, in Seceder circles. Capt. Chalmers' son Clark, who married the daughter of that eminent man, Rev. Chas. Strong, was a good useful preacher and no wonder his son has made a popular preacher. Of Dr. A. W. Chalmers' grandson, Dr. W. Hayne Leavell, I have heretofore written. He has a magnificent church, with a membership of over 800.

It is a joy and pleasure to me to attend his church. He is highly intellectual, preaching to the head but not forgetting the emotional part of our nature. His associate preaches to the heart, not forgetting the intellectual. They make a strong team. Dr. Leavell is a very pleasant and entertaining gentleman.

I said to him a few days since, that he was not the only distinguished man I had thrashed, that Chief Justice Y. J. Pope had endured the same operation at my hands. This, however, was not correct, for when they went to school to me they were good boys.

Leaving the church near Joseph Reid's and not far from the corner of his yard where the railroad passes, we see on the right the stump of four large pines. My mother came from Scotland in 1820 and was accustomed to storms. Having soon thereafter married my father, she was driving a gig along the road, and at this point, a roaring raging, shrieking howling storm came down upon her. Frightened, she left the gig, and attempted to pass through a narrow strip of woods, when four large pine trees fell around her, enclosing her in a space of not more than twenty feet square.

Joseph Reid was a very neat and good man. He married a lovely woman, the daughter of John Clary. He was cousin to my 1st Lieutenant, David Reid McCormick, who was killed in battle February 21st, 1862. We will hereafter resume our walk.

Among the good and useful men of Newberry, was John Chappell, a member of Cross Roads Baptist church, in the forks of Little and Saluda rivers, of whom a friend relates this incident:

One Lord's day, the regular preacher unable to attend, sent another to supply his place. Directing him to go to Bro. Chappell's to be entertained, he received that kind hospitality for which Bro. Chappell was noted. At the close of the sermon the preacher called on Bro. Chappell to pray. The kind good old man looked up rather quizzically and said: "Why, good God Almighty, Bro. Jones, I never prayed in my life" (meaning in public) and broke out in a big laugh, at which the audience smiled audibly.

In 1848 Ira Potter a good preacher, pleasant gentleman, of whom I was fond and who was often in my office was on the Newberry circuit. He once told me he was going to have a big meeting and wanted Uncle Jim my Danally to assist him. But he was so plain in denouncing prevailing sins—calling "a spade a spade," that he was afraid of him. Potter said I'll write to him that the Newberry sinners were a tough set and I wanted him to pour hot shot into them. I don't believe he'll do it. The old man, so well known in Newberry in the days of "no more" came and preached a series of excellent sermons. Many anecdotes are told of him and here is one: A certain emotional man of Cokesbury, whom I well know—we'll call him P.—at every big meeting would get happy. Emotions easily excited; his religion as ephemeral as fire works. Then relapse followed. On one occasion, overflowing with emotion, uncle Jim my went to him and patting him on

the back said: "P. you ought to die right now, you would go to heaven; in less than three weeks the Devil will have you again."

On Sunday, 19th of April, the 55th anniversary of our marriage, the 11th of our youngest and the birth day of the next youngest, we had a pleasant family re-union, wife and I and all of us are well and strong—"How blest has my time been, what joys have I known, Since wedlock's soft bondage made, Helen my own."

I said with the poet: "O, lay thy hand in mine, dear! We're growing old; But time hath brought no sign, dear, That hearts grow cold; 'Tis long since our new love Made life divine, But age enricheth true love, Like noble wine."

Our son in law, T. S. Hill, Mayor of the city of Paris, Texas, somewhat of a rhymster, not being able to be present, sent us these lines:

"On this bright April's nineteenth day, In Houston you have once more met. You young, you old, alike feel gay, All griefs and sorrows now forget; Of all the days make this the best, A Sabbath full of memories sweet; Whilst it is God's day of rest, It makes your union more complete. A union, yes of gathered kin, God in it too, as one of you, A scene on earth of banished sin, Will leave it thus to memory's view."

The Newberry people I have met lately are Prof. C. W. Welch and family—all well and prospering. Mrs. Robertson called on us and was quite entertaining. R. A. Welch is in fine health and busy. Sam Kennerly is still expanding. At last meeting of U. C. V. Camp, Housen Kennor was rigged out from head to toe in a new suit, looking well and fat. J. G. Martin and family are well and lively.

Here is an incident in a Texas Justice court: Pete Jones on trial for assault on a woman at a "big meeting." Pete representing himself. Attorneys for the State vigorous and loud. The several darkey witnesses were unable to establish the assault positively. The attorney, a roarer, arguing, asserted positively that Pete, the darkey, struck the woman. Pete replied: "Jack was dar and he didn't see me; Aunt Bettie was dar and she didn't see me; and all the other niggers were dar and they didn't see me. Nobody saw me but Mr. S., and bless God, he wasn't dar." Pete acquitted.

Adios. J. M. Crosson.

Houston, Texas.

SOUTH CAROLINA NEWS.

Items of More or Less Interest Condensed In The State.

More than 500 mill operatives suffered from the Gainesville and Paeolet and Clifton disasters have gone to Anderson within the past six weeks and it is reported they have found steady work at good wages.

The little daughter of Mr. Baillet Strange, living near Woodruff, was struck by lightning Monday afternoon and instantly killed. The grandmother of the child was near her at the time of her tragic death.

Mrs. J. J. Gray, of Autreville, Abbeville county, committed suicide by taking Paris Green Sunday. She had grown despondent over the death of her husband some time ago, and had made several previous attempts at suicide. She was 55 years of age.

Last week a crowd at Bethune went to the house of Ned Sparkman, a local negro preacher of unsavory reputation, and after giving him a severe whipping fired several shots into his house, one shot causing a painful wound in his face. Sparkman was then told to leave the country.

The dead body of Dr. Culvert, a merchant at Clifton, was found several days ago a few miles below Paeolet by a dog scratching in the sand. The body was covered a few feet under the sand.

The State Summer School at Rock Hill opened with an enrollment of something like 250 teacher-pupils and with bright prospects for a very successful session.

DOOMED NEGRO CHEATS GALLOWS.

John Brownfield, Failing of Reprieve, Takes Poison—Caused Georgetown Riot—A Famous Case.

Charleston Post.

Georgetown, June 23.—John Brownfield, the negro who murdered Deputy Sheriff Scurry in September, 1900 and was to be hanged on Friday, June 26, committed suicide in his cell in the county jail today by taking poison.

It is not known how he obtained the stuff with which he killed himself. There has been some talk of the possibility of the condemned man taking his own life and cheating the gallows, but there was little expectation of his being able to accomplish it.

Brownfield made a remarkable fight to escape the gallows and carried his case to the Supreme Court of the United States. He had exhausted every resource to save his neck, when finally he took his own life in the very shadow of the gallows.

Brownfield killed Deputy Sheriff Scurry on September 30 1900, resisting the deputy's undertaking to arrest him in a barber shop. The killing caused great excitement and a posse went to the woods and captured Brownfield and brought him to jail. There was some talk of lynching and the negroes began to gather from the surrounding country to prevent any such proceeding, and afterwards with the purpose of rescuing the prisoner from the jail. The situation became very bad and there was imminent danger of a race war, when Mayor Morgan appealed to Gov. McSweeney to order out the militia.

The Georgetown companies and Major Schachte's command from Charleston were quickly brought to the scene and their presence established order and the trouble quickly subsided.

Brownfield was tried and convicted in December, 1901, and was sentenced to hang, but he appealed to the Supreme Court of the State, which sustained the judgment of the lower court. His case was then carried to the Supreme Court of the United States, which denied his constitutional rights, closing the last appeal tribunal to the murderer. On last Tuesday the negro was brought into court and finally sentenced to be hanged on Friday, June 26. He asked that Mayor Morgan and three prominent citizens of Georgetown would see him and to them he appealed for influence with the Governor to have his sentence commuted to life imprisonment. They declined to do anything, but recommended that he endeavor to enlist the sympathy of his victim's brother, G. W. Scurry. Mr. Scurry refused promptly and emphatically to raise his hand in the negro's behalf and declared that he would spend every dollar he had to bring his brother's slayer to justice.

It was expected that the execution would stir the negroes of the community and precautions had been prepared against any demonstration.

PITTS' TRIAL POSTPONED.

The Young School Teacher Suffering From Consumption—Slayer of Pupil Foster.

The State.

Spartanburg, June 25.—After disposing of a number of docket cases and routine work the court of general sessions Monday took up the case of Reuben Pitts, charged with the murder of Edward Foster.

The case was continued until the next term of sessions court.

The following affidavit was introduced:

Ashville, N. C., June 22, 1903.

This is to certify that Mr. Reuben B. Pitts of Laurens is in Ashville, N. C., under my personal care, suffering with tuberculosis. Mr. Pitts also has nervous prostration and in my judgment should scrupulously avoid all mental and nervous strain.

JAS. A. BORDOWITZ, M. D.

NORTHERN MOB BURNS NEGRO.

For Crime That Causes Lynching In the South—An Occurrence In Delaware.

Wilmington, Del., June 24.—A Northern mob, led by a Virginian, burned a negro at the stake Monday night within a few miles of Mason and Dixon's line. The victim was George F. White, a negro, just out of the work house, who was accused of having feloniously assaulted and stabbed to death Miss Helen S. Bishop. The crime was committed last Monday afternoon and ever since then there have been mutterings of lynching the man.

An effort was made Sunday night to get White, but it failed. Monday night, however, as a result of the law's slowness and much agitation on the part of those who cried for vengeance, a mob that was estimated at 4,000 men and boys gathered in the neighborhood of Price's corner, four miles from here.

Armed with pistols, shot guns and other weapons the mob soon reached the jail.

A battery of railroad ties soon carried away the outer door of the work house. The second, third and fourth doors were battered down by the forward leaders in the attacking party amid the yells and cheers of those who were pressing forward from the rear. Then the would be lynchers were momentarily halted by a hail of bullets from the inside. A great howl went up from the leaders, but they were pressed forward by those in the rear.

It was evident that the warden did not wish to slaughter the mob in the prison corridor, so he directed that the fire hose be turned on the crowd. This also held the mob for a time, but not for long. A general rush was made, the guards were brushed aside and a man hunt in the jail was made for the negro. Resistance on the part of the negro was useless, but his hands were tied behind him. Then the march to the place of execution, just as though it were a march to the gallows in a prison, was taken up.

NO ARRESTS ARE EXPECTED.

Wilmington, Del., June 25.—The excitement attending the gruesome tragedy enacted Monday night outside the city limits when George F. White, the negro ravisher and murderer of 17 year old Helen S. Bishop, was burned at the stake, has subsided.

Public sentiment appears to deplore the resort to mob violence, but the consensus of opinion is that summary vengeance alone could atone for the brutal outrage upon the life and honor of the young girl. It is generally believed that had the courts brought the murderer to speedy trial last night's tragedy would have been averted.

ALL THREE TO BE REBUILT.

The Clifton Mills Nos. 1 and 2 On the Same Old Sites.

Spartanburg, June 22.—Clifton No. 1, 22,702 spindles, 797 looms; Clifton No. 2, 27,776 spindles, 861 looms; Clifton No. 3, 50,765, spindles, 1,596 looms, will be rebuilt. Positive agreement upon the matter reached by the stockholders and directors. Nos. 1 and 2 will be rebuilt on their former sites; No. 3 will be erected on some higher plane than the mill which was destroyed. The estimated cost of rebuilding is far in advance of anything like \$180,000.

P. H. F.

The directors estimate the mill loss at Clifton No. 1 and 2 at \$300,000, all told. The directors of the D. E. Converse Co. estimate the loss at Glendale mills, Nos. 1 and 2, at from \$60,000 to 65,000.

The city council of Columbia has passed an ordinance requiring the street car company to provide separate accommodations for the white and black races.

The students of the College of Charleston have signified to the faculty their hearty disapproval of the proposition to admit women to the class rooms of the college.

GENERAL NEWS NOTES.

Items of More or Less Interest Condensed Outside the State.

Four Seaboard Air Line men were killed and one seriously injured as the result of a head-on collision at Niagara, N. C., 65 miles from Raleigh. Both engines were completely wrecked.

The United States squadron has arrived at Kiel and was officially welcomed. The Kearsage was anchored next to the place reserved for the Emperor's yacht.

The Summer School of the South has opened its second session at Knoxville with an enrolment of more than 1,200 students. The faculty includes 900 members, educational experts gathered from all parts of the United States.

In the chancery court of Virginia the injunction restraining the government from taking possession of the cruiser Galveston has been dissolved. The government stipulated that the ship shall remain the property of the creditors until the case is determined by the court of highest resort.

A runaway train of 60 coal cars without an engine rushed four miles down grade through the centre of Spokane, Wash., on Monday, demolishing several houses, killing four people, injuring eight others, and piling up a tangled mass of debris nearly fifty feet high.

Kirch Kuykendall, a convict at the penitentiary at Canyon City, Col., was shot and killed while making a desperate dash for liberty with five other prisoners. They held up the guards with a bottle supposed to contain nitro glycerine and carried the warden's wife along as a shield from bullets. They blew off the gates with dynamite but the woman fainted. Kuykendall was killed, and the others captured.

THE POSTAL SCANDALS.

Grand Jury Indicts Machen, the Groffs, and Mr. and Mrs. Lorenz Made to Give Additional Bonds.

Washington, June 25.—The grand jury, which has been investigating postal affairs, Monday returned an indictment against August W. Machen, Diller B. Groff, Samuel A. Groff, George F. Lorenz and Martha J. Lorenz, the two latter being residents of Toledo, Ohio. As previously stated the specific charge is conspiracy to defraud the Government. The indictment is based on Section 5,440 of the Revised Statutes, which provides a penalty of \$10,000 or two years' imprisonment, or both, in the discretion of the Court.

It was said by Assistant Attorney Taggart that the indictment was found against Mrs. and Mr. Lorenz because the evidence before the grand jury showed them to be the go betweens for the Groffs and Machen.

There are twelve counts to the indictment, eleven of which are substantially the same as those found previously against Machen and the Groffs. The first count of the present indictment, which relates to the conspiracy charges, sets forth that on June 29, 1900, in the District of Columbia, Lorenz, Mrs. Lorenz, Machen and the Groff brothers "conspired, combined, confederated and agreed to defraud the United States Government of its moneys," by the following arrangement: Machen advised and recommended to the first assistant Postmaster General the purchase from the Groff brothers of a large number of "the Groff fasteners for mail boxes at \$1.25 each and should procure payment thereof, upon which the Groff brothers should retain 60 per cent. of such payment, or 75 cents for each fastener; and the Groff brothers should then pay to Mr. and Mrs. Lorenz, either or both, the remaining 40 per cent. which was to be "converted, appropriated and applied 'o the use' of Mr. and Mrs. Lorenz and Machen. The indictment says that this agreement was carried out by Machen on June 30, recommending the purchase of 6,000 of the fasteners at the price mentioned.